

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HENRY UNSELD WASHINGTON,)	
)	Civil Action No. 3:17-cv-00070
Plaintiff,)	
)	Judge Kim R. Gibson
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
JONATHAN BARNHART, DR.)	
ROBINSON, RICHARD IRWIN, MARK)	ECF Nos. 202, 205, 208, 214, 220, 232
MAYLE, DR. HUTCHINSON, J.)	
STRAMAT, ANGELA JOHNSTON,)	
ROXANNE PLAYSO, BRIAN P. HYDE,)	
TESA ADELEKAN, B. COSTEA, LT.)	
CINKO, J. R. MCDANNELL, M. J.)	
FOSTER, K. TURNER, WILLIAM)	
BOWERS, PHILLIP MAUST, HEIDI)	
SROKA, ROBERT SNYDER, R.)	
PESCHOCK, J. GIRONE, and ELLIS)	
KAUFFMAN,)	
)	
Defendants.)	

MEMORANDUM ORDER
ON PLAINTIFF'S AND DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Plaintiff initiated the instant *pro se* prisoner civil rights action, per 18 U.S.C. § 1983, with the filing of a Motion for Leave to Proceed *in forma pauperis* on April 28, 2017, which was granted on May 18, 2017. ECF Nos. 1, 10. Plaintiff's Complaint, together with five supplements thereto, was docketed on May 18, 2017. ECF No. 11. Plaintiff was permitted to file an Amended Complaint, which was docketed on December 7, 2018. ECF No. 63. The case was referred to United States Magistrate Judge Lisa Pupo Lenihan

for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 272), dated May 14, 2021, recommended that the one (1) Motion for Summary Judgment filed by Plaintiff, ECF No. 232, be denied and the five (5) Motions for Summary Judgment as to Plaintiff's Amended Complaint, ECF No. 63, filed by Defendants be granted. The Motions filed by Defendants are: Medical Defendant Dr. Irwin, ECF No. 202; Medical Defendant Dr. Mayle, ECF No. 205; Medical Defendants Adelekan and Dr. Girone, ECF No. 220; Medical Defendants Barnhart, Dr. Robinson, Dr. Hutchinson, Dr. Stramat, Johnston, Playso and Kauffman, ECF No. 208; and Corrections Defendants Hyde, Costea, Cinko, McDannell, Foster, Turner, Bowers, Maust, Sroka, Snyder and Peschock, ECF No. 214.

The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, they had fourteen (14) days to file any objections, and that unregistered ECF users were given an additional three (3) days pursuant to Federal Rule of Civil Procedure 6(d). No objections have been filed by Defendants and Plaintiffs objections were filed on May 27, 2021 at ECF No. 275.

After review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following Order is entered:

AND NOW, this 8th day of June, 2021,

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by Plaintiff, ECF No. 232, is **DENIED**.

IT IS FURTHER ORDERED that the Motions for Summary Judgment filed by Defendants at ECF No. 202, 205, 208, 214 and 220 are **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 272) of Magistrate Judge Lenihan, dated May 14, 2021, is adopted as the opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court is directed to mark this case **CLOSED**.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson
United States District Judge

cc: Henry Unseld Washington
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S.C.I. Somerset
1600 Walters Mill Rd
Somerset, PA 15510
Via First Class U.S. Mail

Counsel for Defendants
Via Electronic Mail